

### REMARKS

The specification has been reviewed, and clerical errors of the specification have been corrected.

On page 2 of the Action, claims 6 and 7 were rejected under 35 U.S.C. 112, first paragraph. In view of the rejection, claims 6 and 7 have been amended to clarify the features of the invention.

On page 3 of the Action, claims 1, 2, 5, and 6 were rejected under 35 U.S.C. 102(b) as being anticipated by Kraus (US 5,947,426). On page 4 of the Action, claims 7 and 9 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kraus (5,947,426) in view of Hahn (6,565,049). On page 5 of the Action, claim 8 was rejected under 35 U.S.C. 103(a) as being unpatentable over Kraus (5,947,426) in view of Chiorboli (DE 19752525). On page 5 of the Action, claims 3 and 4 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kraus (5,947,426) in view of Okuda (3,913,187).

In view of the rejections, claim 1 has been amended to include the limitations of claim 3 and clarify the features of the invention. Claim 3 has been canceled. Claims 4 and 9 have been amended to correct dependency or a clerical error, and new claim 10 has been filed.

As recited in claim 1, a clamp for holding a plurality of rod-shaped members of the invention comprises: a fitting portion to be fixed to an object to be attached; a first clamp portion having a substantially U-shape and attached to the fitting portion, said first clamp portion having an inner wall and an opening; a first receiving portion disposed inside the first clamp portion at a middle thereof in a depth direction for receiving one rod-shaped member through the opening of the first clamp portion; a second receiving portion disposed inside the first clamp portion at a bottom thereof for receiving another rod-shaped member through the opening of the clamp portion and the first receiving portion; a first elastic piece extending from the inner wall of the first clamp portion toward a center of the first receiving portion; and a stopper extending from the inner wall of the first clamp portion toward a center of the second receiving portion.

In the invention, the first elastic piece is elastically deformable for allowing the one rod-shaped member to pass therethrough and holding the one rod-shaped member in a space between the first elastic piece and the first receiving portion. Also, the stopper is elastically deformable for allowing the another rod-shaped member to enter the second receiving portion to hold the another rod-shaped member in a space between the stopper and the second receiving portion.

In the invention, the stopper includes a base portion extending from the inner wall of the first clamp portion at a substantially right angle, and a holding piece formed at an end of the base portion to extend generally vertically to the base portion. The holding piece has one end extending toward the second receiving portion and the other end extending toward the first receiving portion. Further, the holding piece is rotatably attached to the base portion. Accordingly, when the another rod-shape member is retained in the second receiving portion, the other end is directed to a center area of the first receiving portion to prevent the one rod-shaped member from entering the second receiving portion.

Kraus discloses a holding element made of plastic. In Fig. 1 in Kraus, a holding element 1 includes an attachment area 3 and four holding areas 2 to 2'''. The attachment area 3 has engagement parts 4 for attachment to a support such as a vehicle body, and the holding areas 2 to 2''' receive tube-shaped elements such as tubes with various diameters. In Fig. 1 in Kraus, the holding area 2' has a dish-shaped receptacle 21' and a holding cross-piece 25' oriented to extend a circumference of a tube-shaped element to be positioned therein. The holding area 2' is also provided with several pairs of holding cross-pieces 26 and 27 arranged at spaced distances above each other.

In Kraus, when a tube is inserted in the holding area 2', the holding cross-pieces 25, 26, and 27 deform inwardly, so that the pipe is retained in the dish-shaped receptacle 21'. In Kraus, the holding element is structured such that a second tube can be retained between the cross-pieces 25 and 26, and a third tube can be retained between the cross-pieces 26, and 27.

In the invention, the clamp is provided with the stopper extending from the inner wall of the first clamp portion toward the second receiving portion. The stopper includes the base portion extending from the inner wall of the first clamp portion at a substantially right angle, and the holding piece formed at an end of the base portion to extend generally vertically to the base portion. The holding piece has one end extending toward a center portion of the second receiving portion and the other end extending toward the first receiving portion. Further, the holding piece is rotatably attached to the base portion. Accordingly, when the rod-shape member is retained in the second receiving portion, the other end is directed to a center area of the first receiving portion to prevent another rod-shaped member from entering the second receiving portion.

In Kraus, the holding cross-pieces are elastically deformable for allowing a rod-shaped member to enter the dish-shaped receptacle to hold the rod-shaped member in a space between the holding cross-pieces and the dish-shaped receptacle. However, each of the holding cross-pieces is formed of a single plate member, and does not have the holding piece including the two ends and rotatably attached to the base portion. Therefore, the holding cross-pieces of Kraus are different from the stopper of the invention. In Kraus, there is no disclosure or suggestion of the stopper having the holding piece with the two ends rotatably attached to the base portion. Therefore, Kraus does not disclose or suggest the features of the invention recited in claim 1.

Hahn discloses a line holder for vibration-damped retention of lines in a motor vehicle. In Fig. 1 in Hahn, a line holder 1 includes a support element 2 and a sealing clip 3 pivotally mounted on the support element 2 via a joint 4. The support element 2 includes U-shaped receiving regions 6, 7, and 8 located parallel to one another. The receiving regions 6, 7, and 8 have clumping limbs 9 in a lower plane and clumping limbs 10 in an upper plane. The clumping limbs 9 and 10 are located opposite one another in pairs.

In the invention, the clamp includes the stopper with the holding piece. The holding piece has the two ends, and is rotatably

attached to the base portion. Accordingly, when a rod-shape member is retained in the second receiving portion, the other end is directed to a center area of the first receiving portion to prevent another rod-shaped member from entering the second receiving portion.

In Hahn, when a tube is inserted in one of the receiving regions 6, 7, and 8, the clumping limbs 9 and 10 deform inwardly, so that the pipe is retained at a bottom of the one of the receiving regions 6, 7, and 8. In Hahn, the line holder is structured such that a second tube and a third tube can be retained between the clumping limbs 9 and 10. However, each of the clumping limbs 9 and 10 is formed of a single plate member, and does not have the holding piece including the two ends and rotatably attached to the base portion. Therefore, the clumping limbs of Hahn are different from the stopper of the invention. In Hahn, there is no disclosure or suggestion of the stopper having the holding piece with the two ends rotatably attached to the base portion. Therefore, Hahn does not disclose or suggest the features of the invention recited in claim 1.

In Fig. 1 in Chiorboli, a pipe holder 1 has two receiving portions 8 and a pair of projections 18 disposed above the receiving portions 8. When a pipe is inserted into one of the receiving portions 8, the projections 18 deform inwardly to retain the pipe in the one of the receiving portions 8. In Chiorboli, the pipe holder 1 is structured such that each of the receiving portions 8 retains a single pipe.

In the invention, the clump includes the first clamp portion; the first receiving portion disposed inside the first clamp portion at a middle thereof in a depth direction for receiving one rod-shaped member through the opening of the first clamp portion; and the second receiving portion disposed inside the first clamp portion at a bottom thereof for receiving another rod-shaped member through the opening of the clamp portion and the first receiving portion.

In Chiorboli, the receiving portions 8 are arranged horizontally, and have only one receiving portion, respectively.

In Chiorboli, there is no disclosure or suggestion of the two receiving portions, i.e. the first receiving portion and the second receiving portion, arranged vertically for receiving two rod-shape members. Also, Chiorboli does not have the stopper of the invention. Therefore, Chiorboli does not disclose or suggest the features of the invention recited in claim 1.

Okuda discloses a squeeze-action clamp formed of two semicircular halves resiliently hinged together. In Fig. 1 in Okuda, the clamp is formed of an annular body 1 with a male joint portion 2 at one end thereof and a female joint portion at the other end thereof. The annular body 1 is also provided with T-shaped auxiliary support members including auxiliary pieces 5 and legs 4.

In Okuda, the auxiliary pieces 5 have a curvature greater than that of the annular body 1. Accordingly, when a pipe is inserted into the annular body 1 and the joint portions 2 and 3 are engaged, the auxiliary support members 4 and 5 squeeze the pipe resiliently.

In the invention, the clamp is provided with the stopper extending from the inner wall of the first clamp portion toward the second receiving portion. The stopper is elastically deformable for allowing a rod-shaped member to enter the second receiving portion through the first receiving portion to hold the rod-shaped member in a space between the stopper and the second receiving portion. The stopper includes the base portion and the holding piece, and the holding piece has one end extending toward the second receiving portion and the other end extending toward the first receiving portion. Further, the holding piece is rotatably attached to the base portion. Accordingly, when a rod-shape member is retained in the second receiving portion, the other end is directed to a center area of the first receiving portion to prevent another rod-shaped member from entering the second receiving portion.

In Okuda, the annular body 1 is provided with T-shaped auxiliary support members including auxiliary pieces 5 and legs 4. The auxiliary pieces 5 extend along a circumference direction of the annular body 1. The clamp of the Okuda does not have the first and second receiving portions of the invention. The auxiliary support members of Okuda do not rotate when a pipe is received in the clamp.

Therefore, the auxiliary support members of Okuda are different from the stopper of the invention. In Okuda, there is no disclosure or suggestion of the first and second receiving portions, and the stopper of the invention. Therefore, Okuda does not disclose or suggest the features of the invention recited in claim 1.

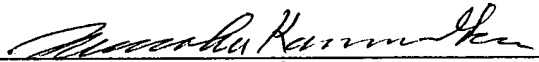
As explained above, the cited references do not disclose or suggest the features of the invention as recited in claim 1. Even if the cited references are combined, the invention is not obvious from the cited references.

With the amendments, the application is believed in condition of allowance.

Reconsideration and allowance are earnestly solicited.

Respectfully submitted,

HAUPTMAN KANESAKA BERNER  
PATENT AGENTS, LLP

by   
Manabu Kanesaka  
Reg. No. 31,467  
Agent for Applicants

1700 Diagonal Road, Suite 310  
Alexandria, VA 22314  
(703) 519-9785